

**TESTIMONY OF**  
**WILLIAM W. MILLAR, PRESIDENT**  
**AMERICAN PUBLIC TRANSPORTATION ASSOCIATION**  
**BEFORE THE**  
**SUBCOMMITTEE ON ECONOMIC SECURITY,**  
**INFRASTRUCTURE PROTECTION, AND CYBERSECURITY**  
**OF THE**  
**HOUSE HOMELAND SECURITY COMMITTEE**

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**September 7, 2005**

**SUBMITTED BY**

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**APTA is a nonprofit international association of over 1,500 public and private member organizations including transit systems and commuter rail operators; planning, design, construction and finance firms; product and service providers; academic institutions; transit associations and state departments of transportation. APTA members serve the public interest by providing safe, efficient and economical transit services and products. Over ninety percent of persons using public transportation in the United States and Canada are served by APTA members.**

Mr. Chairman, thank you for this opportunity to testify on the security and safety of public transportation systems. We appreciate your interest in transportation security, and we look forward to working with you on these issues.

## **ABOUT APTA**

The American Public Transportation Association (APTA) is a nonprofit international association of more than 1,500 public and private member organizations including transit systems and commuter rail operators; planning, design, construction, and finance firms; product and service providers; academic institutions; transit associations and state departments of transportation. APTA members serve the public interest by providing safe, efficient, and economical transit services and products. More than ninety percent of the people using public transportation in the United States and Canada are served by APTA member systems.

## **OVERVIEW**

Mr. Chairman, public transportation is one of our nation's critical infrastructures. We cannot over-emphasize the critical importance of our industry to the economic quality of life of this country. Over 9.6 billion transit trips are taken annually on all modes of transit service. People use public transportation vehicles over 32 million times each weekday. This is more than sixteen times the number of daily travelers on the nation's airlines.

Safety and security are the top priority of the public transportation industry. Transit systems took many steps to improve security prior to 9/11 and have significantly increased efforts since then. Since September 11, 2001, public transit agencies in the United States have spent over \$2 billion on security and emergency preparedness programs and technology from their own budgets with only minimal federal funding. This year's events in London and last year's events in Madrid further highlight the need to strengthen security on public transit systems and to do so without delay. We do not need another wakeup call like London and Madrid.

In 2004 APTA surveyed its U.S. transit system members to determine what actions they needed to take to improve security for their customers, employees and facilities. In response to the survey, transit agencies around the country have identified in excess of \$6 billion in transit security investment needs. State and local governments and transit agencies are doing what they can to improve security, but it is important that the federal government be a full partner in the effort to ensure the security of the nation's transit users.

In FY 2003, transit security was allocated \$65 million in federal funds for 20 transit systems from DHS. In FY 2004, \$50 million was allocated for 30 transit systems from DHS. For the first time in FY 2005, Congress specifically appropriated \$150 million for transit, passenger and freight rail security. Out of the \$150 million, transit is to receive approximately \$130 million—almost \$108 million for rail transit and more than \$22 million for bus. Also, passenger ferries are slated to receive an additional \$5 million for security from a separate account. We are very appreciative of this effort. However, in the face of significant needs, more needs to be done.

We urge Congress to act decisively on this issue. In light of the documented needs, we have respectfully urged Congress to provide \$2 billion in the FY 2006 Homeland Security Appropriations bill for transit security. Of that amount, we recommended that \$1.2 billion be provided for capital needs, and \$800 million for additional transit security costs. Federal funding

for additional security needs should provide for, among other things, planning, public awareness, training and additional transit police.

Transit authorities have significant and specific transit security needs. Based on APTA's 2003 Infrastructure Database survey, over 2,000 rail stations do not have security cameras. According to our 2005 Transit Vehicle Database 53,000 buses, over 5,000 commuter rail cars, and over 10,000 heavy rail cars do not have security cameras. Less than one-half of all buses have automatic vehicle locator systems (AVL's) that allow dispatchers to know the location of the bus when an emergency occurs. Nearly 75% of demand response vehicles lack these AVL's. Furthermore, no transit system has a permanent biological detection system. In addition, only two transit authorities have a permanent chemical detection system. A partnership with the federal government could help to better address many of these specific needs.

We were disappointed that the Administration recommended only \$600 million for a Targeted Infrastructure Protection Program in the FY 2006 DHS budget proposal, which would fund infrastructure security grants for transit, seaports, railways and energy facilities. We were also disappointed that the Administration did not include a specific line item funding amount for transit security. We look forward to working with the Administration and Congress in securing adequate transit security funding that begins to address unmet transit security needs throughout the country.

We further request that the existing process for distributing DHS federal grant funding be modified so that funds are distributed directly to transit authorities, rather than to State Administrating Agencies (SAA). While we understand the need to coordinate with the states and urban areas that we serve, we believe direct funding to the transit authorities would be more efficient and productive. For the FY2003 grant funding that was allocated by DHS, it took more than a year to be awarded to some transit systems. In addition, the FY2005 grant funding has not been awarded to the transit systems to date.

We are pleased to note that APTA has become a "Standards Development Organization" (SDO) for the public transportation industry. Our efforts in standards development for commuter rail, rail transit and bus transit operations over recent years have been significant and our status as a SDO has been acknowledged by both the Federal Transit Administration (FTA) and the Federal Railroad Administration (FRA). The FTA and the Transportation Research Board have also supported our standards initiatives through the provision of grants. We would like to apply our growing expertise in standards development to transit industry safety and security, best practices, guidelines and standards. We look forward to working with the Administration and Congress in support of this initiative and trust that federal financial assistance would be made available to develop such standards and practices.

We also would like to work with Congress and the Department of Homeland Security's Directorate of Science and Technology to take a leadership role in advancing research and technology development to enhance security and emergency preparedness for public transportation.

## **INFORMATION SHARING**

Since the terrorist attacks of September 11, 2001, public transit systems across the country have worked very hard to strengthen their security plans and procedures and have been very active in training personnel and conducting drills to test their capacity to respond to emergencies. As well, to the extent possible within their respective budgets, transit systems have been incrementally hardening their services through the introduction of additional technologies such as surveillance

equipment, access control and intrusion detection systems. While the transit systems have been diligent, they have been unable to fully implement programs without more assistance from the federal government.

A vital component of ensuring public transit's ability to prepare and respond to critical events is the timely receipt of security intelligence in the form of threats, warnings, advisories and access to informational resources. Accordingly, in 2003, the American Public Transportation Association, supported by Presidential Decision Directive #63, established an "Information Sharing Analysis Center (ISAC)" for public transit systems throughout the United States. A funding grant in the amount of \$1.2 million was provided to APTA by the Federal Transit Administration to establish a very successful Public Transit ISAC that operated 24 hours a day, 7 days a week, and gathered information from various sources, including DHS, and then passed information on to transit systems following a careful analysis of that information. However, given that the Federal Transit Administration was subsequently unable to access security funds, and given the decision of DHS to not fund ISAC operations, APTA then had to look for an alternate method of providing security intelligence through DHS's newly created "Homeland Security Information Network (HSIN)." APTA is now in the process of transitioning from the successful Public Transit ISAC to the new HSIN network. However, we believe that consistent, on-going and reliable funds from Congress should be provided for the Public Transit ISAC that has been proven an effective delivery mechanism for security intelligence.

In addition, APTA's membership includes many major international public transportation systems, including the London Underground, Madrid Metro, and the Moscow Metro. APTA also has a strong partnership with the European-based transportation association, the International Union of Public Transport. Through these relationships, APTA has participated in a number of special forums in Europe and Asia to give US transit agencies the benefit of their experiences and to help address transit security both here and abroad.

### **COST OF HEIGHTENED SECURITY**

Following the attacks on London, APTA was asked to assist the TSA in conducting a teleconference between the TSA and transit officials to discuss transit impacts pertaining to both increasing and decreasing the DHS threat levels. There is no question that increased threat levels have a dramatic impact on budget expenditures of transit systems and extended periods pose significant impacts on personnel costs. These costs totaled \$900,000 **per day** for US public transit systems or an estimated \$33.3 million from July 7 to August 12, 2005 during the heightened state of "orange" for public transportation. This amount does not include costs associated with additional efforts by New York, New Jersey and other systems to conduct random searches.

Many transit systems are also implementing other major programs to upgrade security. For example, New York's Metropolitan Transportation Authority is taking broad and sweeping steps to help ensure the safety and security of its transportation systems in what are among the most extensive security measures taken by a public transportation system to date. NY-MTA will add 1,000 surveillance cameras and 3,000 motion sensors to its network of subways and commuter rail facilities as part of a \$212 million security upgrade announced late last month with the Lockheed Martin Corporation.

### **SECURITY INVESTMENT NEEDS**

Mr. Chairman, since the awful events of 9/11, the transit industry has invested some \$2 billion of its own funds for enhanced security measures, building on the industry's already considerable efforts. At the same time, our industry undertook a comprehensive review to determine how we could build upon our existing industry security practices. This included a range of activities, which include research, best practices, education, information sharing in the industry, and surveys. As a result of these efforts we have a better understanding of how to create a more secure environment for our riders, and the most critical security investment needs.

Our latest survey of public transportation security identified enhancements of at least \$5.2 billion in additional capital funding to maintain, modernize, and expand transit system security functions to meet increased security demands. Over \$800 million in increased costs for security personnel, training, technical support, and research and development have been identified, bringing total additional transit security funding needs to more than \$6 billion.

Responding transit agencies were asked to prioritize the uses for which they required additional federal investment for security improvements. Priority examples of operational improvements include:

- Funding current and additional transit agency and local law enforcement personnel.
- Funding for over-time costs and extra security personnel during heightened alert levels.
- Training for security personnel.
- Joint transit/law enforcement training.
- Security planning activities.
- Security training for other transit personnel.

Priority examples of security capital investment improvements include:

- Radio communications systems.
- Security cameras on-board transit vehicles and in transit stations.
- Controlling access to transit facilities and secure areas.
- Automated vehicle locator systems.
- Security fencing around facilities.

Transit agencies with large rail operations also reported a priority need for federal capital funding for intrusion detection devices.

Mr. Chairman, the Department of Homeland Security issued directives for the transit industry in May 2004, which would require that transit authorities beef up security and to take a series of precautions which would set the stage for more extensive measures without any federal funding assistance. Transit systems have already carried out many of the measures that Transportation Security Administration (TSA) is calling for, such as drafting security plans, removing trash bins and setting up procedures to deal with suspicious packages. The cost of these measures and further diligence taken during times of heightened alert is of particular concern to us. We look forward to working with you in addressing these issues.

As you know, in the FY 2005 Homeland Security Appropriations bill (PL 108-334), TSA can hire up to 100 rail inspectors using a \$10 million appropriation. We have concerns about this provision. We believe that funding for the inspectors would be better spent on things that would support the industry such as surveillance cameras, and emergency communication and other

systems rather than highlighting security issues without providing the necessary resources to address them. We look forward to working with you in addressing our concerns.

## **ONGOING TRANSIT SECURITY PROGRAMS**

Mr. Chairman, while transit agencies have moved to a heightened level of security alertness, the leadership of APTA has been actively working with its strategic partners to develop a practical plan to address our industry's security and emergency preparedness needs. Shortly after the September 11 events, the APTA Executive Committee established a Security Task Force. The APTA Security Task Force has established a security strategic plan that prioritizes direction for our initiatives. Among those initiatives, the Task Force serves as the steering group for determining security projects with more than \$2 million in Transit Cooperative Research funding through the Transportation Research Board.

Through this funding, APTA has conducted four transit security workshop forums around the nation for the larger transit systems with potentially greater risk exposure. These workshops provided confidential settings to enable sharing of security practices and applying methodologies to various scenarios. The outcomes from these workshops were made available in a controlled and confidential format to other transit agencies unable to attend the workshops. The workshops were held in New York, San Francisco, Atlanta, and Chicago.

In partnerships with the Transportation Research Board, the APTA Security Task Force has also established two TCRP Panels that identified and initiated specific projects developed to address *Preparedness/Detection/Response to Incidents* and *Prevention and Mitigation*. The Security Task Force emphasized the importance for the research projects to be operationally practical.

In addition to the TCRP funded efforts, a generic *Checklist For Transit Agency Review Of Emergency Response Planning And System Review* has been developed by APTA as a resource tool and is available on the APTA web site. Also through the direction of the Security Task Force, APTA has reached out to other organizations and international transportation associations to formally engage in sharing information on our respective security programs and to continue efforts that raise the bar for safety and security effectiveness.

APTA has long-established Safety Audit Programs for Commuter Rail, Bus, and Rail Transit Operations. Within the scope of these programs are specific elements pertaining to *Emergency Response Planning and Training* as well as *Security Planning*. In keeping with our industry's increased emphasis on these areas, the APTA Safety Audit Programs have been modified to place added attention to these critical elements.

## **CONCLUSION**

Mr. Chairman, in light of our nation's heightened security needs post 9/11, we believe that increased federal investment in public transportation security by Congress and DHS is critical. The public transportation industry has made great strides in transit security improvements since 9/11 but much more needs to be done. We look forward to building on our cooperative working relationship with the Department of Homeland Security and Congress to begin to address these needs. We again thank you and the Committee for allowing us to testify on these critical issues, and look forward to working with you on safety and security issues.